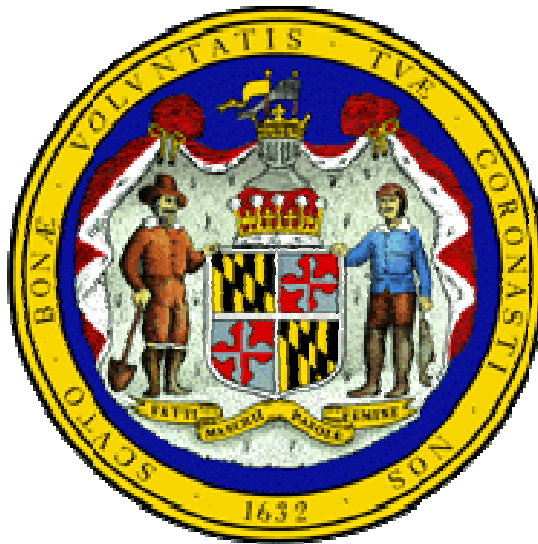


MONTGOMERY COUNTY
CIRCUIT COURT



FAMILY DIVISION
FISCAL YEAR 2007

INTRODUCTION

The mission of the Circuit Court for Montgomery County is to serve the Sixth Judicial Circuit residents in the determination of litigation in serious criminal matters and more substantive civil cases in accordance with the Constitution; to administer justice in a fair, timely and efficient manner; and to adjudicate domestic and child support cases

The Ninth Annual Report of the operation of the Family Division of the Circuit Court for Montgomery County details its efforts to support this mission. Additionally, it illustrates how the Family Division worked to effectively meet the challenge of increased demand for timely and meaningful services while simultaneously enhancing those services.

During the past Fiscal Year several changes have been implemented to improve and enhance services offered to the citizens of Montgomery County who find themselves before the Court. These changes illustrate that well coordinated family and juvenile services can be integrated into a differentiated case management system and provide greater flexibility and earlier opportunities for case resolution to the litigants of this court. It also demonstrates just how crucial these services are to the Court's ability to deliver an effective, efficient, predictable and fair justice system to resolve critical events early in the life of a case, which in turn benefits the litigants and their families.

The Family Division has been the beneficiary of the unwavering guidance of a Family Judge in Charge whose leadership and dedication to excellence have shepherded the Division through several changes in the past Fiscal Year. These changes included the statewide implementation of new statutory provisions and guidelines for Best Interests Attorneys, which clarifies and defines the role of this type of Child's Attorney in litigation. Without this solution the court potentially faced the loss of many attorneys who advocated for children in Family matters.

With the strong leadership provided by the Administrative Judge, the Family Judge in Charge and the support of the Court, programs provided by Family Division Services will continue to provide significant, meaningful service to the residents of Montgomery County, Maryland. In its continuing efforts to provide excellent service, the Family Division has the following goals and objectives:

- Protect and serve the best interests of the children and families in our community.
- Provide means by which litigants become aware of their rights and responsibilities and have access to information to assist them with judicial procedures.
- Develop appropriate support services to families so that the process reduces the conflict and introduce the parties to problem-solving techniques to help reduce future litigation.
- Provide continuity of case management by case assignment to a Case Manager, Master and/or a Judge.
- Differentiate case management through appropriate track assignment and require compliance with Family Division differentiated case management guidelines, including timelines.

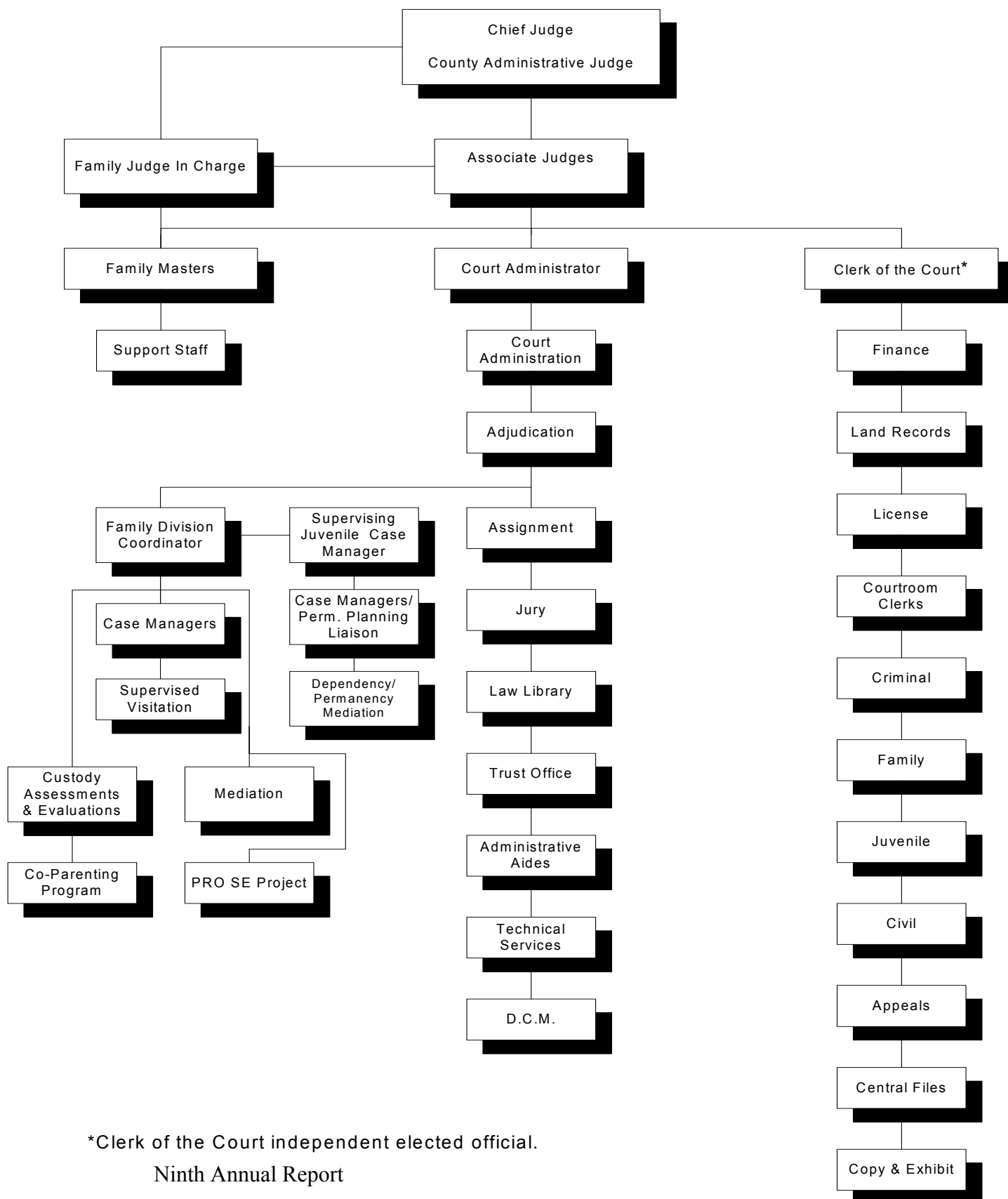
The combined efforts of many people were required to implement and serve these goals and objectives. The Honorable Ann N. Sundt continued to serve as Family Judge in Charge, acting as liaison to the administrative judge, reviewing and refining policies and procedures within the Family Division with the Family Division Coordinator and members of the bench. Her leadership and insight has proved invaluable to the Family Division, which, during Fiscal Year 2007, was structured as follows:

- Six **Judges** assigned to hear family cases, including the Family Judge in Charge, and four **Judges** assigned to hear juvenile causes.
- Five **Masters**, including one part-time Master assigned to hear Child Support Enforcement matters and Uncontested Divorces. Masters do not hear Juvenile Causes in Montgomery County.
- One **Family Division Coordinator**
- Four **Family Division Case Managers**
- One **Adoption/Guardianship Case Manager**
- One **Supervising Case Manager for Juvenile Causes**
- Three **Case Managers for Juvenile Causes**
- One **Permanency Planning Liaison**, shared with the Circuit Court for Frederick County.
- Three **Attorneys** and one **Legal Assistant**, plus attorney-volunteers, comprise the Pro Se Project (self representation project).
- One **full time Lead Custody/Access Mediator**, three part-time **Mediators** and one bi-lingual contract **Mediator**, who staff the Custody/Access Mediation program.
- A **Managing Court Evaluator**, five full-time and six part-time **Court Evaluators** conduct evaluations, assessments, investigations and reviews; conduct the co-parenting skills enhancement sessions; and oversee the supervised visitation program.
- A **Receptionist** and an **Administrative Assistant** assist visitors and provide administrative support to Family Division Services.
- **Contractual Service Providers**: Attorney- Facilitators, Mediators in the Juvenile Dependency Mediation Program. Supervised Visitation Program

The following organization chart provides an overview of how the Family Division interfaces with the rest of the Court. As indicated by this chart, there are a broad range of departments and services within the entire court. This diverse group of people shares the same goal; to provide the citizens of Montgomery County with a system of justice that is fair, efficient and timely. This Report is a synopsis of how the Family Division has conducted its last fiscal year in support of the Court's mission and its own stated goals.

Circuit Court Organizational Chart: Fiscal Year 2007

FAMILY LAW



FAMILY LAW

During Fiscal Year 2007 (7/1/06 through 6/30/07), 10,452 family actions and causes (8,480 family law actions and 1,972 juvenile causes) as defined by Maryland Rule 16-204 were filed in the Circuit Court for Montgomery County, Maryland. This represents a 0.04% decrease in new filings.

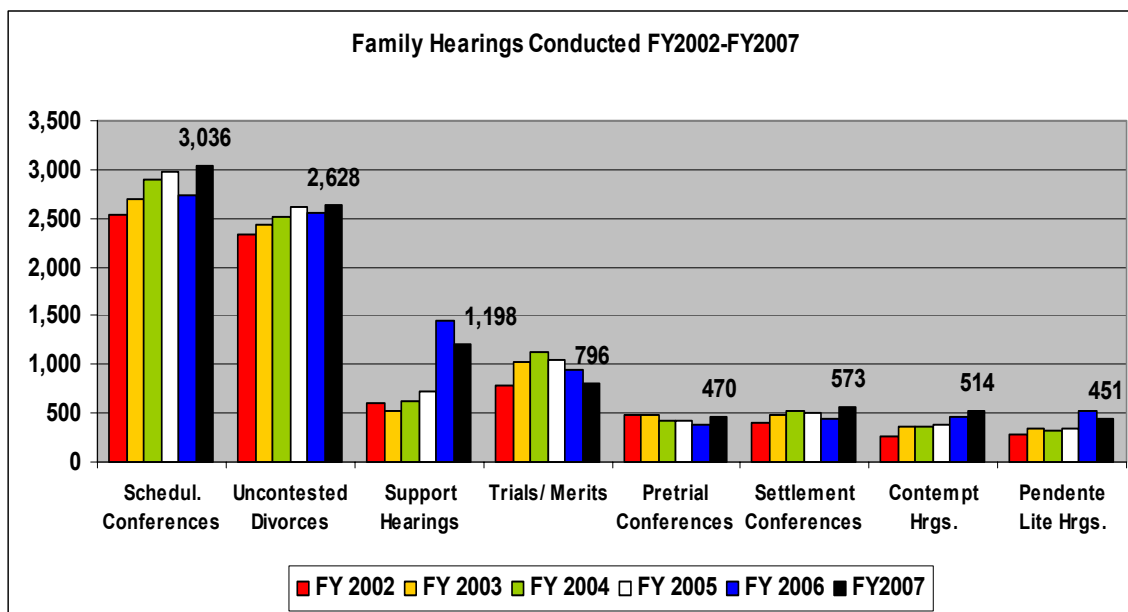
Caseload

The 8,480 original family law cases filed during Fiscal Year 2007 typically sought more than one form of relief, including absolute and limited divorce, annulment, alimony, custody, visitation (access), child support, paternity, appointment of guardian for minors and disabled individuals, adoption, change of name, and domestic violence protection. A total of 5,657 closed cases were re-activated by new motions. Some 14,137 issues were addressed by the court.

During Fiscal Year 2007, the Family Division concluded 8,560 cases on their original filing as well as 5,713 re-activated cases, increases of 5.95% and 13.49% respectively.

Workload

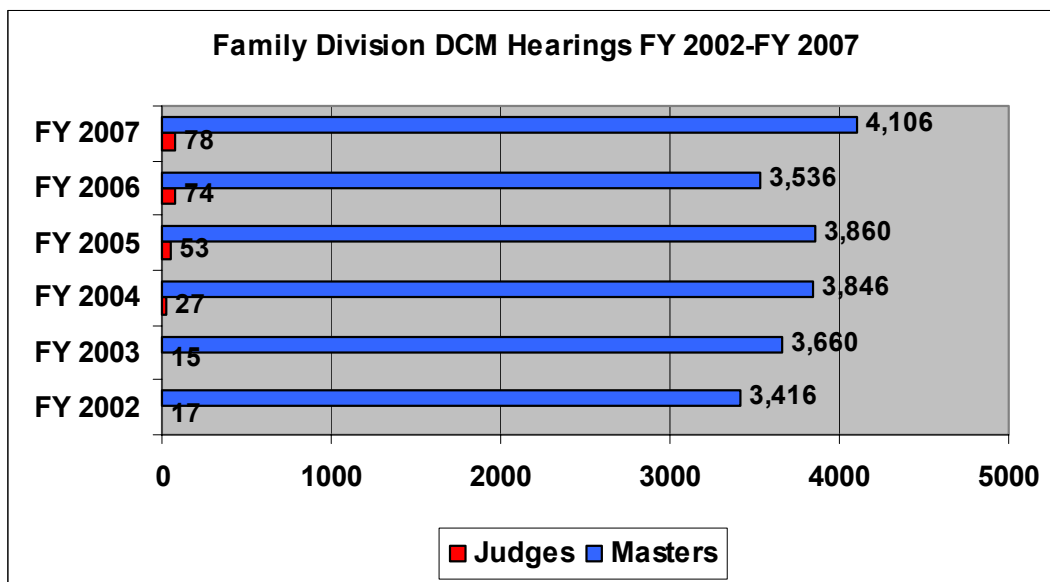
The following charts illustrates the workload of the court as it moves cases through its Differentiate Case Management System (DCM) to a resolution. Several fiscal years are provided for comparative purposes. Fiscal Year 2007 saw a 2.47% increase in hearings conducted over Fiscal Year 2006.



The number of scheduling conferences held reached its highest level in six years with 3,036 events heard. In the face of this increase, however, *pendente lite* hearings dropped to levels

more consistent with previous years and the number of trials and merits hearings held reached its lowest point in five years. This data suggests an increased rate of settlement at the scheduling conference stage and at the settlement conference/pretrial stage. Such an increased rate of settlement aligns seamlessly with the function of Differentiated Case Management, which is to offer litigants the opportunity to resolve cases in a timely manner and at the earliest juncture possible, without the increased emotional and financial strain attendant with taking a case to trial.

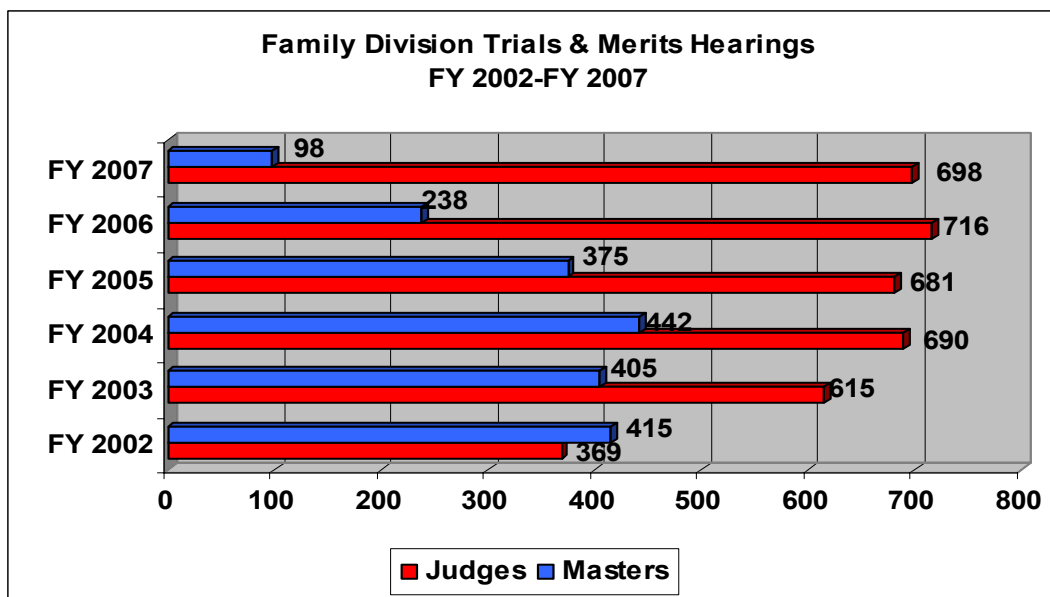
While Masters and Judges work toward the same goals, their functions vary within the differentiated case management system. As illustrated by the following chart, the bulk of the DCM hearings are handled by the masters and the majority of trials/merits and contempts are handled by judges. Such a ‘bifurcation’ of the case management system allows for a more efficient use of judicial resources. It draws cases away from judicial resources at their earliest stages and allots those resources to the most complex cases where other means of settlement have not proven fruitful.



As is illustrated by this chart, Family Masters are critical to the success of the Differentiated Case Management Plan. The total number of DCM hearings held during the last fiscal year increased by 370 cases. This represents a 16.1% over Fiscal Year 2006. When viewed against the declining number of cases going to trial or merit hearing, the continuing success of the Court’s differentiated case management plan is easily seen.

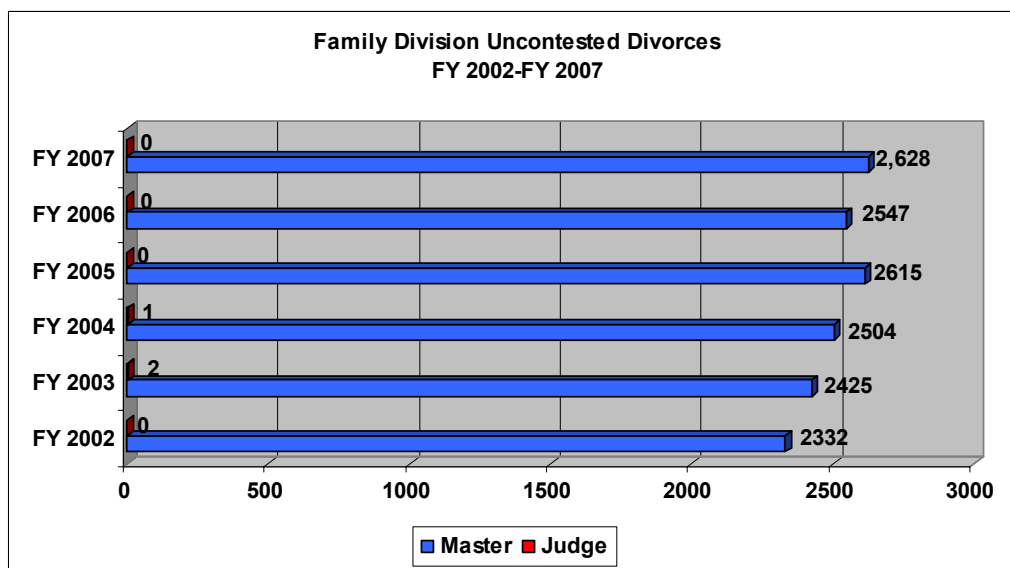
Trials and Merits: In Fiscal year 2007 a total of 796 trials and merits hearings were conducted by the court. While the total number heard represents a decrease of 158 matters, the number heard by judges versus masters continued to increase: 698 (87.69%) were conducted by judges and 98 (12.31%) were conducted by masters. This illustrates the

continuing and significant impact of Maryland Rule 9-208¹ upon the Court. Prior to the full impact of the rule masters conducted slightly more than half of all trials and hearings on the merits. Since Fiscal Year 2003, judges have conducted the majority of all trials and merits hearings.

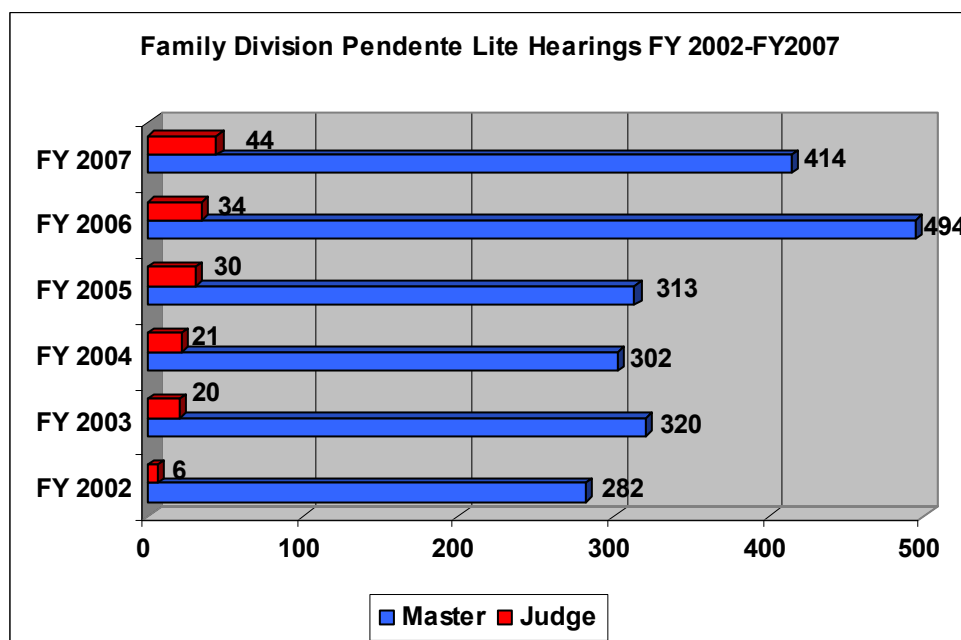


¹ Md. Rule sec, 9-208(a)(1) provides that the following matters may be referred to masters as of course: uncontested divorce, annulment or alimony; alimony pendente lite; child support pendente lite; support of dependents; preliminary or pendente lite possession or use of the family home or family-use personal property; pendente lite custody of or visitation with children or modification of an existing order or judgment as to custody or visitation (subject to Rule 9-205); child access disputes, constructive civil contempt (subject to Rule 9-205); modification of an existing order or judgment as to the payment of alimony or support or as to the possession or use of the family home or family-use personal property; counsel fees and assessment of court costs in any matter referred to a master under this Rule; stay of an earnings withholding order; and other matters set forth in the court's case management plan filed pursuant to Rule 16-202b.

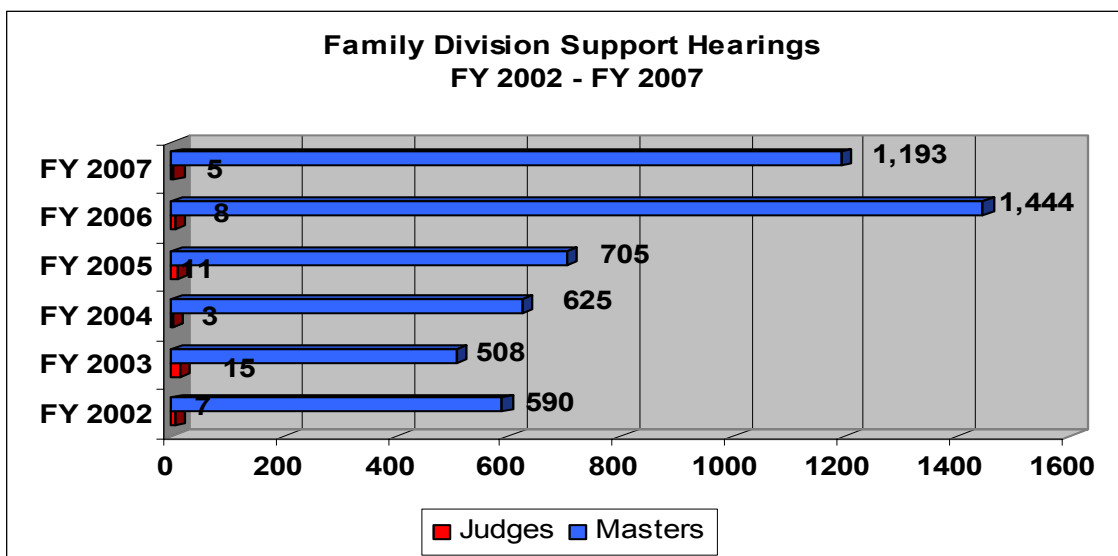
Uncontested Divorces. Following a slight dip in Fiscal Year 2006, uncontested divorce filings reached its highest level in six years. A total of 2,628 hearings were held. All were conducted by Family Division Masters. As previously noted scheduling these matters before masters conserves judicial resources and provides parties who are in agreement on all legal issues with an efficient case resolution process.



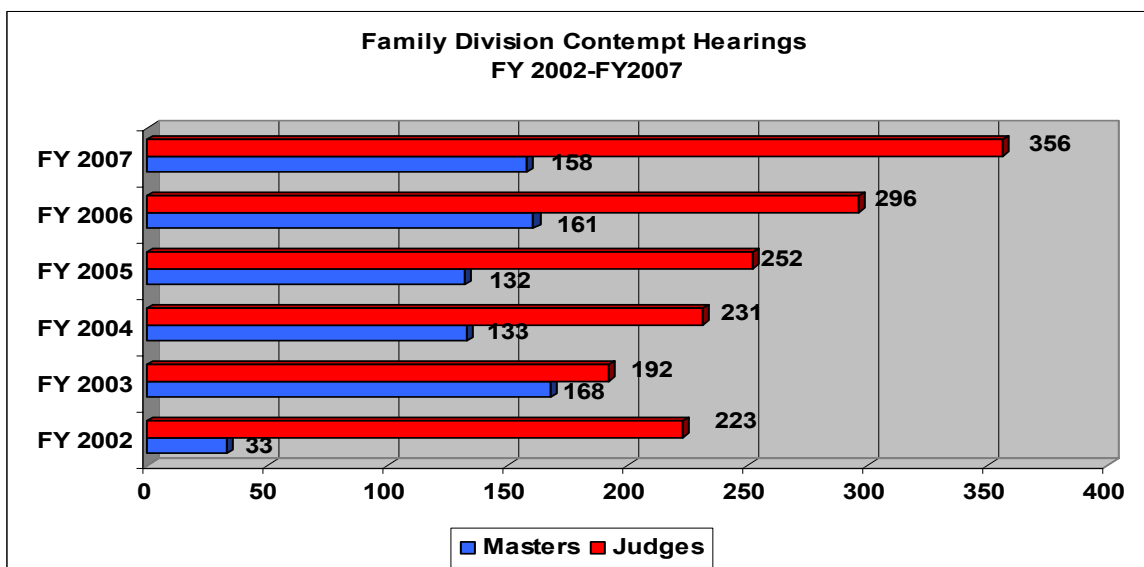
Pendente Lite Hearings: After a dramatic 32% increase in filings in Fiscal Year 2006, Pendente lite hearings dropped by 80 hearings or 13.26% in FY 2007. This number, however, remains substantially above filings in Fiscal Years 2002 through 2005.



Support Hearings: Support hearings declined by 254 in Fiscal Year 2007, but remained well above numbers recorded for Fiscal Years 2002 through 2005. Although matters heard by the judges decreased 62.50%, the actual number was a decrease of only 3 cases. Matters heard by the masters decreased by 251, or 17.5%

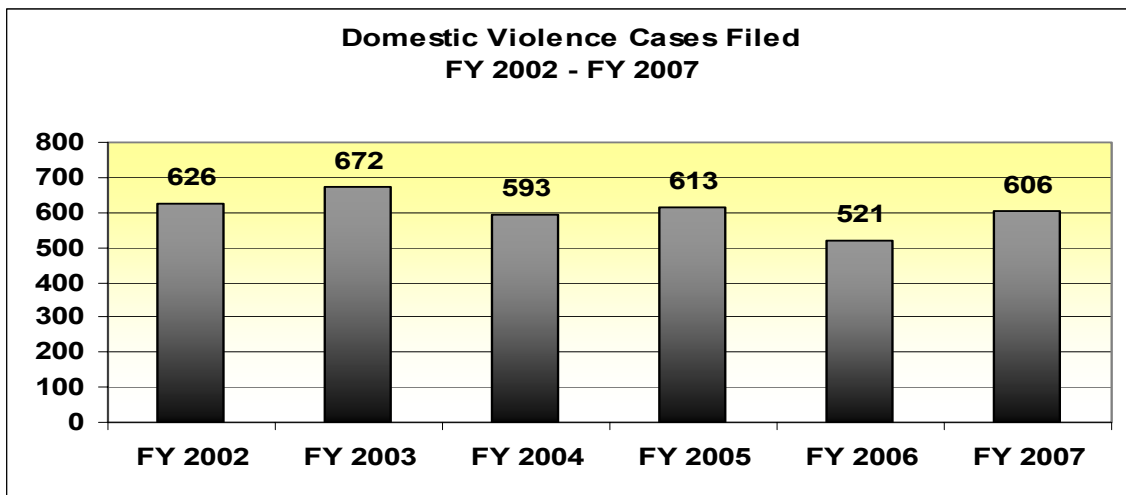


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Contempt Hearings: The total number of contempt hearings heard by the court increased sharply during the last Fiscal Year moving from 457 to 514. While matters heard by the masters declined slightly (minus 3 cases), the number of contempt hearings heard by judges, which has increased steadily since Fiscal Year 2003, rose to 356, which represents a 20.27% increase.

Domestic Violence: Citizens of Montgomery County who may be the victims of Domestic Violence have the ability to access relief through the court system on a round-the-clock basis. A petition for protection from domestic violence may be brought in either the District Court or Circuit Court during normal business hours. After hours and on weekends, petitioners can seek emergency protective orders via the District Court Commissioner. If relief is granted by the District Court Commissioner, the further temporary protective order hearing is set in District court. Statistical information regarding domestic violence filings in the Circuit Court is as follows:



Filings peaked in Fiscal Year 2003 at 672. With the onset of available after hours relief through the District Court Commissioners, petitions filed in Circuit Court dropped 11.8% in Fiscal Year 2004. However, despite its continued availability, filings in the Circuit Court increased 3.3% in Fiscal Year 2005. After a significant decrease of 15.01% in Fiscal Year 2006, filing has returned to levels more closely aligned with prior years.

Petitioners for protective orders continue to receive on-site assistance via the AOC grant-supported Domestic Violence Assistance Program located in the Judicial Center:

JUVENILE LAW

The history of juvenile court during the past fiscal year illustrates how a flexible and responsive docketing structure and judicial assignment can adapt to successfully meet the evolving needs of the Court and the litigants that it serves.

The Juvenile Court is responsible for oversight of the following petitions: Delinquency, Children in Need of Assistance (CINA), Termination of Parental Rights, Voluntary Placements and Petitions for Peace Orders. These matters, which are governed by strict

statutory timeframes,² require a high degree of judicial oversight by the court. The need for swift disposition and close and continuous supervision results in multiple hearings prior to adjudication and repeated review hearings over the life of a case. However, multiple hearings compressed into a short timeframe, coupled with the small size of the juvenile bar, have presented a scheduling challenge to both the court and the parties over the last few years. As a result, a large number of requests for postponements have on occasion impeded high efficiency case flow, particularly in CINA cases. Additionally, an increasing volume in case filings resulted in a very high judicial workload.

Balanced against the bar's requests to postpone hearings is the fact that the court is charged with meting out fair, timely and meaningful justice under extremely tight statutory timeframes. Its most significant obligation is to meet this burden for the benefit of the children, families and victims who find themselves before the court. One avenue the court uses to meet this obligation is to make its dockets as efficient, predictable and time responsive as possible for all stakeholders.

To accommodate a very high judicial workload, the court added a fourth judge to the Juvenile rotation in Fiscal Year 2006. During Fiscal Year 2007 it became apparent that the juvenile court judges were experiencing a workload that was reduced too much. The court adapted to this, by allowing family matters and some civil matters to be heard by the juvenile bench. While this increased judicial utilization, it created some complications for the small CINA and delinquent bar, whose juvenile hearings sometimes stacked up behind the Family and Civil matters, thereby increasing waiting time for those attorneys and the subjects of the litigation, who are all minors or the parents of minors.

At the end of Fiscal Year 2007 the decision was made to reduce the juvenile rotation from four judges to three and move the fourth judge over to Family. These changes were effective with the beginning of Fiscal Year 2008. The resulting docket structure strikes a balance between providing an appropriate caseload for juvenile judges, adding needed judicial resources in the Family rotation and keeping the juvenile dockets available only to juvenile matters. It further illustrates that by exercising a high degree of flexibility, creativity and patience in a collaborative manner, all stakeholders in the process benefit.

In an effort to be responsive to the growing concern that some youth who are detained while awaiting adjudication could be successfully maintained in the community, the court

²Statutory timeframes for a non-sheltered or non-detained Respondent are contained in Md. Rule 11-114.b.1, which provides that an adjudicatory hearing shall be held within sixty days after the juvenile petition is served on the respondent.

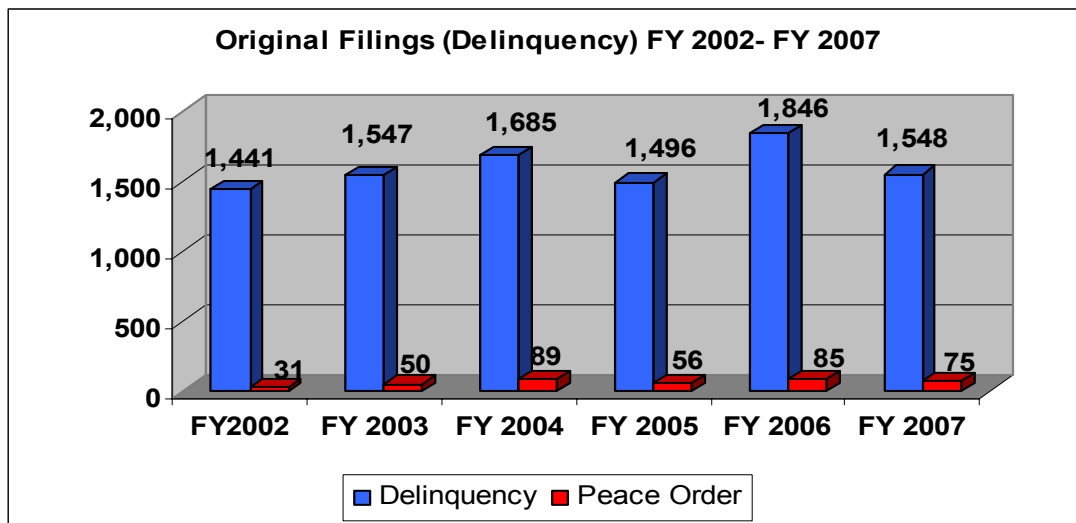
Md. Rule 11-114. b.2. provides that if respondent is in detention or shelter care, the adjudicatory hearing shall be held within thirty days from the date on which the court ordered continued detention or shelter care.

collaborated with the Department of Juvenile Services, the Montgomery County Collaboration Council and Maryland Choices, to provide a viable alternative to detention. The result was the Detention Alternative Initiative Wraparound Program, which began offering services in Fiscal Year 2007. Eligible youth, who come before the court on detention hearings, are placed on home electronic monitoring with wraparound home services provided by Maryland Choices. This program is for pre-adjudication youth only. Twelve youth were placed in this program and successfully used its services between its implementation In March, 2007 and the end of the Fiscal Year.

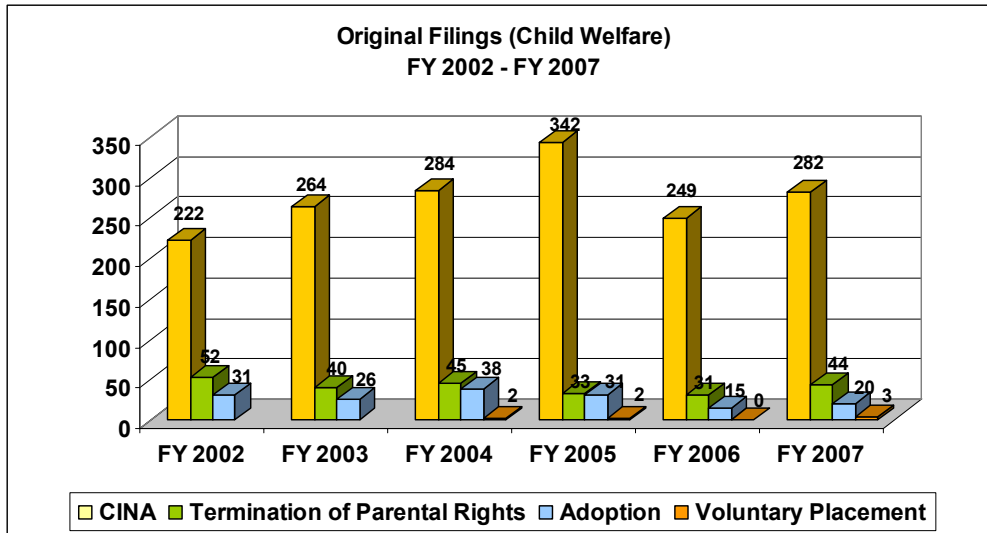
Caseload

In the aggregate, Juvenile filings decreased 11.41% from Fiscal Year 2006. The two major components of Juvenile caseload are children in need of assistance petitions (CINA) and delinquency petitions.

Both areas experienced significant change. As indicated by the following chart, delinquency petition filings dropped from 1,846 to 1,548. This represents a decrease of 16.14%. After a significant increase in Fiscal Year 2006, peace order filings also decreased. In Fiscal Year 2007 a total of 75 petitions were filed, which represents a reduction of 11.76%.



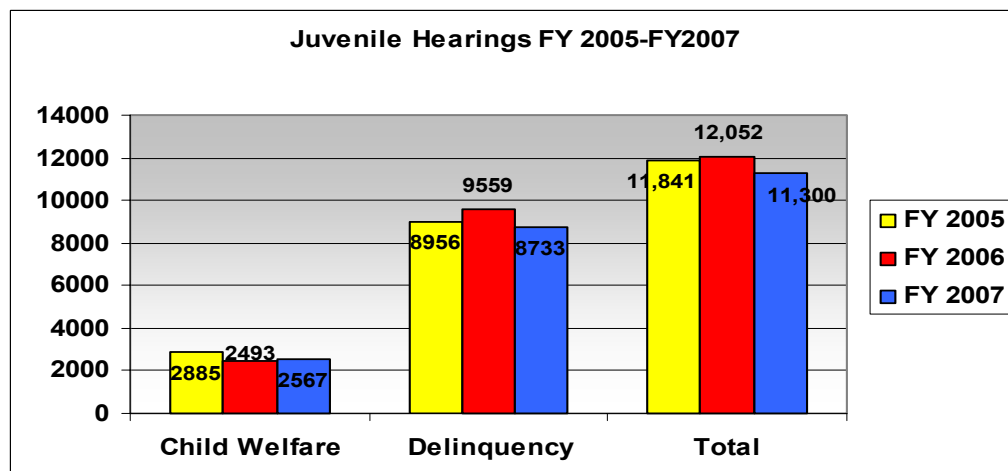
At the same time, all child welfare filings increased. CINA petitions increased from 249 to 282. Similarly, 44 TPR petitions were filed, which represents a 41.94% increase over Fiscal Year 2006, when 31 were filed. Adoptions increased from 15 filings in Fiscal Year 2006 to 20 filings in Fiscal Year 2007, an increase of 33.33%.



Voluntary Placement, which is a legal tool available since Fiscal Year 2004, allows parents of a significantly disabled child to enter into an agreement with the Department of Health and Human Services for placement of that child. Since its inception, it has been little used, with 2 petitions filed in Fiscal Year 2004, 2 filed in Fiscal Year 2005, none filed in Fiscal Year 2006 and three filed in Fiscal Year 2007. Alternative assistance provided by the Montgomery County Department of Health and Human Services helps families cope with the financial, emotional and physical demands of caring for such children and may be curtailing or preventing the need for filing such petitions.

Workload

Statistics regarding original filings capture only a portion of the Juvenile Causes workload. The need for close and continuous supervision of the progress of children within the court's jurisdiction results in repeated review hearings. There were 8,733 delinquency hearings and 2,567 child welfare hearings held in Fiscal Year 2007. This figure does not include adjudicatory hearings or trials. This total of 11,300 hearings represents a 6.24% decrease from Fiscal year 2006 and a 4.57% decrease from Fiscal Year 2005.



Delinquent youth who are detained at disposition pending placement, are subject to an in court review following the 25th day on which they are detained for the offense for which they were adjudicated delinquent. This hearing is set at disposition and the cycle repeats every 25 days until the child is placed. While this increased the workload for the court and the bar, it helps ensure that children who are awaiting much needed rehabilitative services do not languish in a detention facility.

The Adoption and Safe Families Act, signed into law in 1997, amended federal foster care laws to make permanency the paramount focus of the law. In response to this, the court has taken measures to facilitate compliance with the requirements of the law. The court automatically sets 6 month review hearings (from the date of shelter) and permanency planning hearings at disposition. By setting the permanency planning hearing at the dispositional stage, the bar and the court have greater calendar flexibility than when these hearings were not set in until later, which in turn increases compliance with statutory deadlines.

During the last Fiscal Year the Court has continued to focus on issuing final orders in TPR cases within the 180 day timeframe required by law³. Service Status Hearings,⁴ implemented in Fiscal Year 2007, keep the issue of service before the court. This has increased the number of hearings held in TPR cases, but has helped address the issue of service more expeditiously. In Fiscal Year 2007, 111 service status hearings were scheduled.

Juvenile Substance Abuse Treatment Court

In Fiscal Year 2004, the Circuit Court for Montgomery County applied for and received a Bureau of Justice Assistance Drug Court Planning Initiative grant to participate in three training programs designed to help jurisdictions plan and implement effective drug treatment courts. A team that included two Judges with significant experience in the adjudication of juvenile causes, the Honorable Dennis M. McHugh and the Honorable Marielsa A. Bernard, as well as a senior Assistant State Attorney, the Public Defender for Montgomery County, senior personnel from Department of Juvenile Services, the Montgomery County Police Department, the Montgomery County Department of Health and Human Services, the Montgomery Public Schools, as well as key court personnel, participated in the trainings and met regularly throughout Fiscal Year 2004 and the beginning of Fiscal Year 2005 to design and plan Montgomery County's Juvenile Substance Abuse Treatment Court.

³Family Law Article section 5-319 requires that a juvenile court rule on a guardianship petition within 180 days after the filing of the petition and within 45 days after receipt of all consents or trial on the merits, whichever is earlier.

⁴During Fiscal Year 2006, in an effort to monitor and reduce the time delay between the filing of a TPR petition and service, the court implemented Service Status Hearings which were automatically generated with the filing of the petition. These hearings are triggered to occur at 45 days (for in state and out of state service) and 70 days (for out of country service).

The Juvenile Substance Abuse Treatment Court's (J-SATC's) mission is "to reduce substance abuse and delinquent conduct behavior among youthful offenders by providing them and their families with intensive, comprehensive, and individualized services. By helping participants reach their full potential as valued community members, we will build a stronger, safer community." Non-violent juvenile offenders between the ages of 14 and 17 years, 3 months, who are on probation, have significant substance abuse involvement, and are having trouble staying clean and sober and therefore are at risk of violating their probation are the targeted population for J-SATC's therapeutic and collaborative approach. Most, if not all have previously been enrolled in some form of treatment program intended to intervene in the cycle of addiction.

Recognizing that recovery from addiction is vital to community safety and individual accountability, the Montgomery County J-SATC, using a multi-disciplinary treatment team focused on treatment, monitoring, and judicial intervention, is able to provide a coordinated, swift, and sustained response to these youthful offenders. To promote the interests of the offender, and the community in which he/she lives, J-SATC provides an alternative approach to traditional case processing and disposition that features:

- Collaborative treatment planning and case management;
- Integrating treatment planning with judicial decision-making;
- Unique involvement of the Juvenile Substance Abuse Treatment Court Judge;
- Dedicated leadership and professional resources who are well-informed regarding addictive behavior and its consequences;
- Swift recognition, reward and positive reinforcement for progress;
- Rapid imposition of graduated sanctions to act as motivators to improve compliance and reinforce treatment interventions and to modify negative behaviors;
- Longer-term treatment and sanctioning models that have a reasonable tolerance for relapse that is consistent with the recovery process.

In late August 2004, the Circuit Court received a grant from the Governor's Office of Crime Control and Prevention via Byrne Formula Grant funds to implement two pilot projects; one targeting adults and the other designed to meet the different challenges posed by juveniles. After an extensive recruitment effort, the Court was fortunate to be able to hire a mental health professional with extensive experience in an established and successful drug court as its Drug Court Coordinator to implement both the adult and juvenile pilot drug court projects. The Honorable Dennis M. McHugh led the J-SATC treatment team in addition to carrying a Family Law assignment. The Juvenile Substance Abuse Treatment Court began screening potential participants in November 2004 and accepted its first participant into the program at the end of December 2004. Seven of the pilot program's ten slots were filled by August 2005.

With the retirement of Judge McHugh, Judge Katherine Savage assumed responsibility for the Drug Court. During Fiscal Year 2007 a total of 22 youth were enrolled in the program. Average enrollment per quarter was 14.

FAMILY DIVISION SUPPORT SERVICES

Case Management

Family Division Case Managers:

The Family Division Differentiated Case Management Plan (DCM), provides the structural framework and scheduling guidelines for Divorce and Custody cases, providing services and differing levels of Court resources appropriate to the complexity of the issues presented. The goal of DCM is to bring about the appropriate resolution of a case at the earliest possible stage. This is accomplished by providing services like co-parenting skills training, pro se assistance, and alternative dispute resolution well in advance of trial or merits hearings.

To ensure that cases are receiving the appropriate resources and that filings are in proper posture for scheduled hearings, four Family Division Case Managers monitor the active caseload and act as liaisons between the Family Judges, Masters and providers of these resources and services. At the time of filing, a case is permanently assigned to an individual case manager to ensure continuity from filing through merits to post judgment actions. A primary function of the Case Managers is to review and prepare new cases for scheduling conference before the Family Division Masters. Additionally, the Family Case managers review case files in advance of critical events for unresolved issues that might prevent the case from proceeding on the scheduled date. By identifying and helping the Court bring those issues to resolution on an expedited basis, the case managers are able to preserve valuable court and litigant time and resources. By preventing case delays that can be avoided with prompt Court intervention, the Court intends to improve the expeditious resolution of the Family Law caseload.

Each Case Manager is thoroughly conversant with family cases and their procedural requirements, and, when necessary, can provide coverage for another case manager in the event one is absent. Case Managers are problem-solvers, keeping cases on track, and ensuring that parties receive the services available to them through the Court and in the community. Family Division Case Managers, in conjunction with the Adoption/Guardianship Case Manager, the Managing Evaluator and the Lead Child Custody/Access Mediator make informational presentations on Family Division Services, as well as collaborative services, to newly appointed Masters and Judges in the Family rotation and their staff.

Adoption/Guardianship Case Manager:

The Adoption/Guardianship Manager position was created in Fiscal Year 2002 to provide the same level of case management support given to Divorce and Custody cases to Adoptions

and Guardianships. During the next year, the Adoption/Guardianship Case Manager focused on establishing procedures for the systematic review of adoption filings and gaining mastery over adoption legal procedure. The Adoption/Guardianship Case Manager is responsible for reviewing all initial pleadings in adoptions filed in the Circuit Court, including those adoption petitions filed in the Juvenile Court as a result of terminations of parental rights in abuse/neglect cases. The Adoption/Guardianship Case Manager assists attorneys and petitioners in perfecting documents and filings and makes referrals for investigative services where appropriate. Criteria for investigative referral were developed with the assistance of the Family Division Judges and the Managing Court Evaluator. In Fiscal Year 2007, the Adoption/Guardianship Case Manager provided assistance in 149 new adoption petitions filed as compared to 158 during the previous Fiscal Year.

Case Managers for Juvenile Causes:

A critical requirement for the successful transfer of the Juvenile Court from the District Court to the Circuit Court in March 2002 was the development of the Juvenile Differentiated Case Management Plan which brought the juvenile caseload into compliance with statutory deadlines while maintaining the quality of the outcomes for the parties involved. The Juvenile DCM Plan was implemented upon the transfer of the Court; its success is dependent on the active role played by the three Case Managers for Juvenile Causes and their Supervising Case Manager, ranging from the preparation of pre-trial dockets, scheduling of expedited hearings when a child's situation requires adjustment on an urgent basis; to the screening of CINA cases in advance of Court-ordered mediation to the scheduling of mediators for those mediation sessions and for permanency mediation post-disposition.

A Case Manager is permanently assigned to a child at the time the first delinquency or peace order petition is filed. When a CINA petition is filed, a Case Manager is assigned to the entire family on a permanent basis. This assures continuity and familiarity with a child or family's specific issues and legal history.

In Fiscal Year 2005, the case manager initiative to create a database of resources available to children became part of a collaborative effort spearheaded by the Montgomery County Collaboration Council for Children, Youth and their Families. The Circuit Court was able to contribute to the network its database design and significant amounts of data already collected to allowed the new network to expedite its implementation county wide. The Court continues to collaborate in this effort.

The Juvenile Case Managers are led by a Supervising Case Manager for Juvenile Causes. The Supervising Case Manager provides direct supervision to them as well as administrative support to the Family Division Coordinator in the development and implementation of initiatives and procedures. Additionally, this role serves as a pivotal link between the juvenile bar and the court.

Permanency Planning Liaison:

Funded through a special grant by the Administrative Office of the Courts and the Foster Care Court Improvement Project, the position of Permanency Planning Liaison was created

for the each judicial circuit to provide case management of permanency issues in dependency cases, including ensuring compliance with federal requirements under the Adoption and Safe Families Act. Court personnel from the Circuit Courts for both Frederick and Montgomery Counties jointly conducted the recruiting and interview process for the Sixth Circuit's Permanency Planning Liaison. An experienced member of the Frederick County Circuit Court staff was chosen to fill the position.

Upon her hire into this position in January, 2004, the Permanency Planning Liaison dedicated most of the next three months learning the requirements of both Maryland and federal law in dependency cases and studying the procedures and initiatives adopted in Montgomery County to help determine how best to serve the specific needs of the Circuit Court for Frederick County. Because of the additional case management resources available for juvenile causes in Montgomery County, the Permanency Planning Liaison monitors permanency issues and compliance in Montgomery County, but provides more intensive assistance in Frederick County, where she has provided critical assistance in that Court's dependency mediation initiative, monitoring compliance with state and federal statutes and regulations, such as the requirements under the federal Adoption and Safe Families Act and in the support of the dependency dockets.

Child Custody/ Access Mediation

Custody/child access mediation is a core service of the Family Division and is an integral part of the Differentiated Case Management Plan for family cases. At a scheduling hearing, parties receive an order detailing all court appearances and deadlines. If custody or child access is at issue, the parties are ordered to participate in Co-Parenting Skills Enhancement sessions first, followed by court-ordered mediation (two 2-hour sessions). The DCM plan for family cases places mediation after the co-parenting skills enhancement sessions as experience has demonstrated that court-ordered mediation is more successful when it follows the parents' completion of co-parenting sessions.

At the first session, the mediators provide an overview of the process, including what happens if mediation is unsuccessful. The parties are made aware that the mediation sessions are entirely confidential with the exception of allegations of child abuse that must be reported to child protective services. The mediation staff works to employ consistent techniques and processes. The mediator sees the parties together, but may, for a short period of time, speak to each party individually. Additional individual work, resembling a "shuttle diplomacy" model, may be utilized with regard to a particular case or a particular issue.

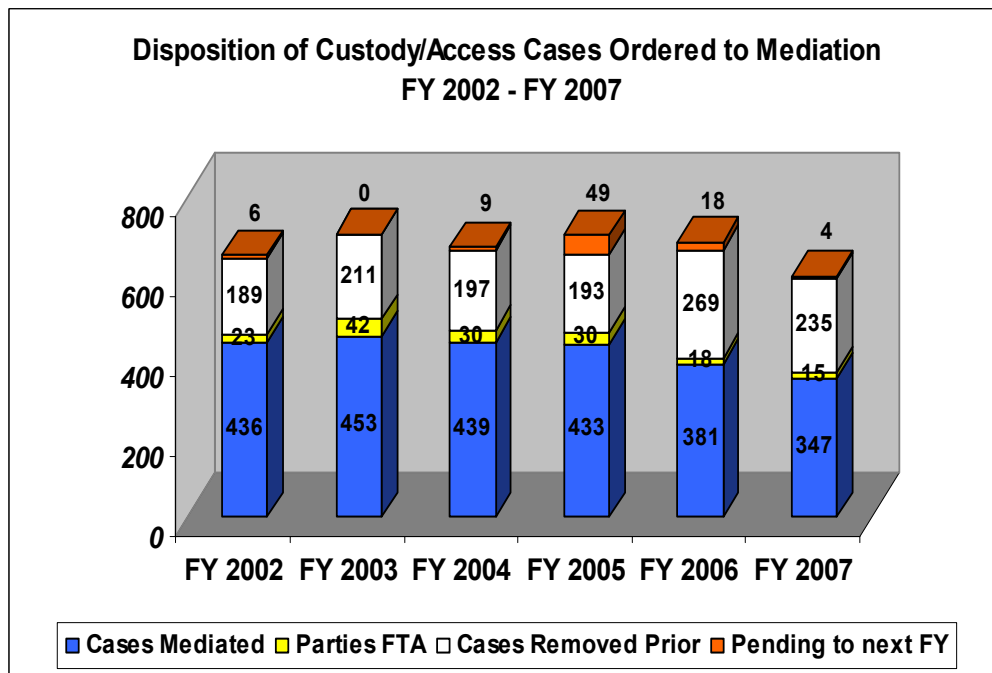
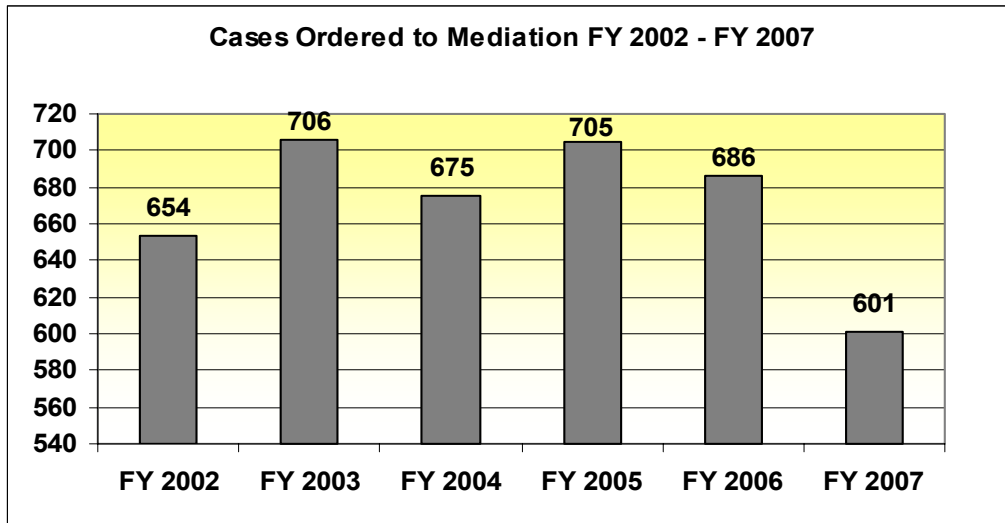
The mediators focus on parenting issues, including decision-making (legal custody) and the amount of time the child(ren) spend with each parent. Mediation addresses strategies for resolution of future disagreements, the litigants' responsibilities, and a process to support decision-making. Mediators will also help parties address child support issues in post-judgment matters. Occasionally, the parties may be able to complete reach a full agreement during a single mediation session, but most cases require two mediation sessions. The parties may also jointly request a third session if they believe it will help them come to a full resolution of all the issues.

During the past fiscal year several changes have been made in how mediation services are delivered to litigants. These changes illustrate that well coordinated family services can be integrated into a differentiated case management system and provide greater flexibility and earlier opportunities for case resolution to the litigants of this court.

Formerly, the parties ordered to mediation were supplied with a packet of materials containing information about the custody/access mediation program, including a confidential questionnaire. The parties completed the questionnaire and it was sent to the mediation unit for a review, which usually occurred within one week. Parties were screened over the telephone by the mediator who would make a determination as to whether or not any circumstances existed which would preclude mediation (i.e., domestic violence). If the mediation was deemed inappropriate the parties were notified and the dates were removed. This delay in screening and possibly removing dates prevented the reuse of many of those dates by the courts and other litigants.

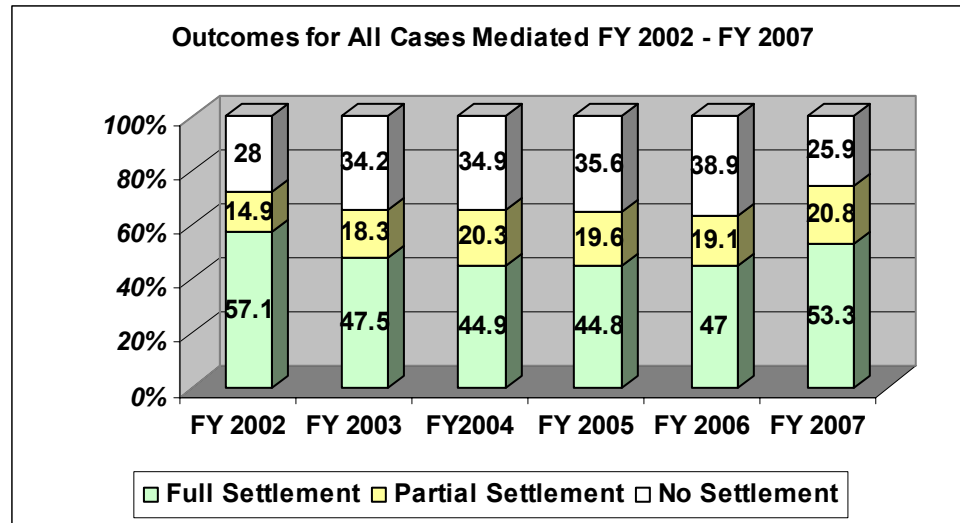
Toward the end of this fiscal year the Family Division changed its intake process for cases ordered to mediation. Parties now report directly to the Family Division from the scheduling conference and participate (separately) in a face to face intake session with the mediator. The benefits of this change are twofold: First, more useful information is gleaned from a personal interview as opposed to a telephone interview. Secondly, if the mediation process is deemed inappropriate, the dates are removed and returned to available status within 24 hours of the scheduling conference, which results in more mediator availability for the litigants and the court. Given the rapid and sequential service delivery that must occur before a settlement conference (facilitation, co-parenting, mediation, evaluation or assessment), this change increased the likelihood that mediation dates are recycled and made available to the court and the litigants that it serves.

In an additional effort to respond to the needs of its litigants, the Family Division has increased Mediator availability by now offering same day mediation. If the parties are willing to go to mediation directly following their intake, they can have their first session that day, which saves them an extra trip to court and also allows them to commence the dispute resolution process much earlier.



The number of cases ordered to mediation declined 12.39% in Fiscal Year 2007. However, the percentage of cases that mediated, relative to those ordered, rose 2.20%.

In an effort to maximize the number of cases that have the opportunity to mediate, the court switched to same day intake. Mediation is ordered at the scheduling conference. The intake now occurs immediately following the scheduling conference. By doing this, decisions regarding appropriateness for mediation are made 1 to 2 weeks earlier than in prior years. If a case is deemed inappropriate when screened by the mediator the dates will be removed and put back into the available pool of dates the same day.



Equipping parties with effective conflict resolution strategies is also critical to reducing post judgment activity. Custody/child access mediation is ordered in post judgment matters on a single-session basis for the focused issues bringing the parties back to court. These issues have proven more difficult to bring to an agreement. In Fiscal Year 2007, 80.1% of all original custody/child access cases that mediated resulted in a full or partial settlement of those issues, but only 54.3% of post judgment custody/child access cases reached a full or partial settlement. in Fiscal Year 2007.

Juvenile Dependency Mediation

CINA Mediation:

With the assistance of grants obtained by the Montgomery County Collaboration Council for Children, Youth and their Families from MACRO and the Office of Crime Control and Prevention, the Circuit Court for Montgomery County was able to implement the Juvenile Dependency Mediation program during Fiscal Year 2003 to provide Court-ordered mediation of Child in Need of Assistance (CINA) cases prior to adjudication. The framework for the program was developed on a collaborative basis over a two-year period by an ad hoc committee of stakeholders working in conjunction with the Juvenile Court to create an alternative, non-adversarial means of resolving CINA cases at the pre-adjudicatory stage.

In its first year of operation, the Juvenile Dependency Mediation program became an integral part of the Juvenile Court in Montgomery County and has become a model program for other jurisdictions in Maryland seeking to change the all too often destructive dynamic associated with the traditional adversarial approach. The implementation of the Juvenile Dependency Mediation Program at the pre-adjudicatory stage in CINA cases has provided a collaborative alternative to the traditional adversarial means of resolving these cases. The collaborative planning process helped to change a hostile legal culture that existed among the lawyers representing various parties to a more congenial one in which, while different roles are acknowledged and respected; compromise and collaboration in the resolution of cases has

become the norm. Mediation is mandated by court order unless criminal charges are pending or are imminent and rising out of the same facts that gave rise to the CINA petition itself.

The implementation of the juvenile dependency mediation program in conjunction with the implementation of the Differentiated Case Management plan created the capacity for CINA cases to be resolved by a pre-trial settlement conference date scheduled two to four weeks after the case's initiation in court. In the past, a large percentage of cases had resulted in consent agreements, but only after months of delay, which lessened the prospect of successful reunification with each passing month and in those cases where reunification was impossible, delayed permanent placement elsewhere for the child in need of assistance.

In Fiscal Year 2007, 47.31%, or 132 of 279 mediation eligible CINA cases underwent at least one mediation session, as compared with 39% in Fiscal Year 2006 and 50% in Fiscal Year 2005.

Permanency Mediation:

Discussions to extend the dependency mediation program to the post-adjudicatory stages of CINA cases up to and including Termination of Parental Rights (TPR) cases began with the Ad Hoc Committee on Dependency Mediation in November, 2002, with a basic approach outlined in conjunction with the Ad Hoc committee in December of that year. At the conclusion of the initial grant period, including an extension, it was determined in the early spring of 2004 that sufficient funds could be drawn from the Circuit Court budget to augment the refunds remaining in the MACRO grant to provide training for permanency mediation, that is, mediation to enable permanency to be achieved for children in out-of-home placements and their families.

The approach to post-disposition mediation was developed as a voluntary self-referral to mediation by parties or at the suggestion of a Judge at any stage post-adjudication to resolve issues associated with establishing permanency for a child in an out-of-home placement. This could range from helping to determine the custodial structure for a child whose family is ready for reunification but cannot agree as to the living arrangements to mediation of a Termination of Parental Rights case. This is a distinction from other jurisdictions, which have focused on mediation at a stage where an assumption has been made that parental rights will be terminated and that adoption will occur.

After designing and developing a Permanency Mediation Training protocol, solidifying stakeholder support and assistance, and training sixteen prospective mediators during Fiscal Year 2004, Permanency Mediation began on an as-needed basis on July 23, 2004. Announcements of the program began in September 2004. While the number of these sessions has been relatively low in comparison to dependency mediation at the pre-adjudication stage of CINA cases, the mediation sessions have been extremely successful and lauded by participants.

Mediators for the Juvenile Dependency Mediation Program are contractual on a per case basis. To qualify as a juvenile dependency mediator, a mediator must first complete 40 hours of basic ADR training, then complete 32 hours of CINA mediation training and 8 hours of

court observation. Four such training sessions have been offered, including a training held in late Fiscal Year 2005 with the assistance of an AOC grant. Currently, there are approximately thirty-five active juvenile dependency mediators, sixteen of whom have also completed Permanency Mediation training. Dependency mediator meetings are held regularly with a facilitator to provide feedback, enhance communication among dependency mediators; share best practices techniques as identified in evaluations, and discuss issues and program results.

Assessment/Evaluation

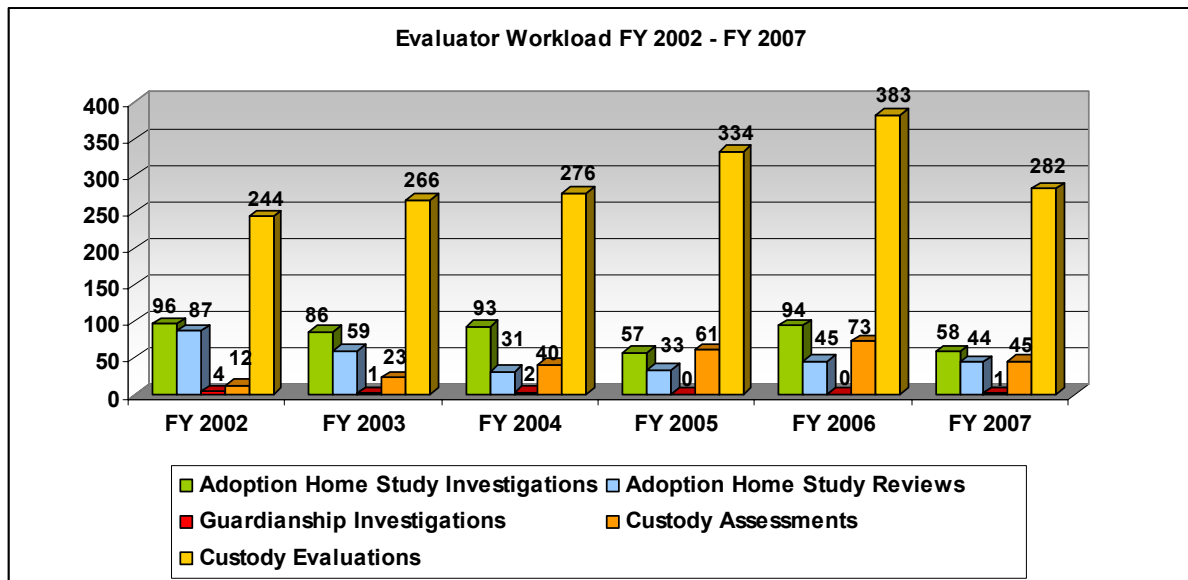
Court Evaluators perform the investigative services in family cases and serve as presenters for the co-parenting skills enhancement sessions. Investigative services include assessment and evaluation in contested custody and visitation matters. Staff evaluators participate in settlement/status conference proceedings and, when necessary, testify at merits hearings. The Court's Evaluators also conduct adoption home study investigations and reviews of home studies provided by agencies or independent contractors. At the Court's request, the Court Evaluators also conduct guardianship and other special issue investigations. A Managing Court Evaluator oversees the investigative staff evaluators, the Family Division's in-house co-parenting skills enhancement program, and provides professional oversight for the Court's supervised visitation program.

The Court Evaluators continue to offer two levels of investigation in contested family cases involving custody and child access: a full evaluation and a more limited assessment. The Family Differentiated Case Management plan incorporates the time necessary to complete assessments (45 to 60 days) and evaluations (60 to 90 days) ordered at the scheduling conference into the Scheduling Order generated for a case. Parties are referred to Family Division Services after the scheduling conference where a Court Evaluator is assigned to intake every morning. The intake process affords the evaluator an opportunity to begin the investigative process and to assess further the needs of the parties. If inquiry reveals the necessity for the more in-depth evaluation, an assessment order may promptly be upgraded to an evaluation order. This procedure prevents loss of valuable investigative time required for an evaluation and preserves the case timeline from scheduling conference to hearing on the merits of the case.

The custody/access assessment involves the evaluator meeting with the litigants and child(ren) in each home and attends the settlement/status conference to make an oral presentation. Participation in this event begins with an oral summary of the concerns of the parties and progresses through the evaluator's observations with explanatory comments, concluding with a recommendation.

The custody/access evaluation is the successor to the former custody/visitation investigation and is an in-depth evaluation resulting in an oral presentation made at the settlement conference with a written report presented to counsel, pro se litigants, and the Court before the merits hearing. This report contains a psychosocial history and generally extensive collateral contacts that may include school personnel, therapists, governmental agencies and litigant references. Again, the evaluator participates in the settlement/status conference and

if the parties cannot reach a consent agreement, the evaluator may testify at the hearing on the merits.



The evaluator workload for assessments, evaluations, reviews and home studies increased dramatically in Fiscal Year 2006. In Fiscal Year 2007 it returned to levels more consistent with Fiscals Years 2003, 2004 and 2005.

The Masters and Judges have found both evaluations and assessments to be effective investigative tools and see this service as providing another asset for settlement or narrowing issues in the cases. Specific procedures and protocols developed by the Court and Family Bar have been instituted for this service.

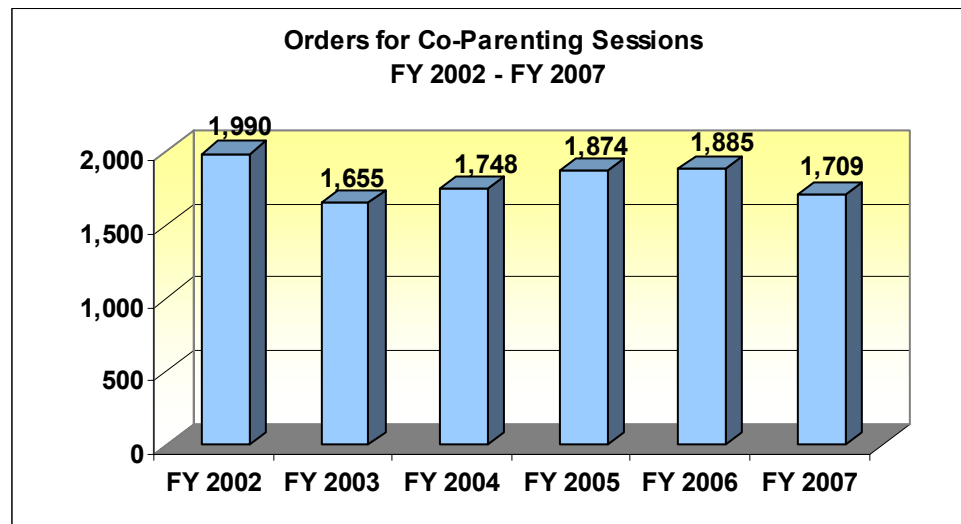
Co-Parenting Skills Enhancement Program

A primary objective of the Family Division is to provide services to litigants at a reasonable cost, and wherever possible, free of charge. This objective is especially true where the Court orders estranged couples to attend programs such as the co-parenting skills enhancement program. A number of excellent programs are provided by the private sector. Consequently, it was imperative that any program created for in-house use would mirror those excellent programs without further financially affecting the litigants.

With this in mind, the Family Division in-house co-parenting skills enhancement program was developed by Family Division staff patterned on the P.E.A.C.E. (Parent Education and Custody Effectiveness) Program from New York. With adaptations, this program became the P.E.A.C.E. Program of Montgomery County, Maryland. Presentations of the program began in July 1999. The sessions are offered to separated/divorcing/never-married litigants in Montgomery County, including parents in CINA cases where this may be an issue, and to County residents who are litigating in another county or state.

In Fiscal Year 2004, the program was renamed to reduce confusion about the purpose of the program, which is to enhance those skills necessary for rearing a child between separate households as differentiated from basic parenting skills and also to diminish anxiety about the possibility of being graded or tested as a basis for obtaining custody/access. The name was changed from “Parenting Seminars” on orders and court signs to “Co-Parenting Skills Enhancement” sessions.

The Court Evaluator’s Office staff presents the co-parenting skills enhancement sessions. This highly professional staff possesses all requisite credentials to offer a comprehensive co-parenting program.



The program consists of two three-hour sessions presented in the courthouse. Initially offered twice a month, the program now includes a third set of classes, which is scheduled during the day on a quarterly basis. This daytime presentation accommodates litigants who are unavailable at night because of work, sitter and other issues.

While a limited program consisting of one of the two co-parenting sessions was presented to Spanish-speaking litigants during Fiscal Year 2002 and 2003, the need for greater access to both these sessions by litigants’ whose primary language is not English was addressed in the first quarter of Fiscal Year 2004. Participants received a Spanish translation of the P.E.A.C.E. Manual for Parents. However, due to the limited number of Spanish sessions available, participants did not always receive the benefit of the sessions prior to Court-ordered Custody/Access Mediation.

Beginning in late October 2003, all sessions were made available to Spanish-speaking participants. Using a radio transmitter and headphones, an interpreter provides near simultaneous interpretation of the sessions with minimal disruption. Spanish-speaking participants are now scheduled automatically from the Scheduling Conference, where the computer presents available session dates prior to the scheduled mediation as envisioned by

the Family DCM plan. A Spanish language guide to the co-parenting order is now generated automatically when a party requests a Spanish interpreter.

The next nine most common languages spoken by language-minorities in Montgomery County are scheduled on an individual basis for the both sessions, as are other languages for which a qualified translator can be found. A second transmitter was purchased, allowing up to two (Spanish plus one) languages to be interpreted in any session (plus American Sign Language interpretation, which does not require a transmitter). As the following chart shows, these changes have significantly increased timely access to critical and mandatory court programs services by litigants whose primary language is not English:

Co-Parenting Sessions with Language Interpretation

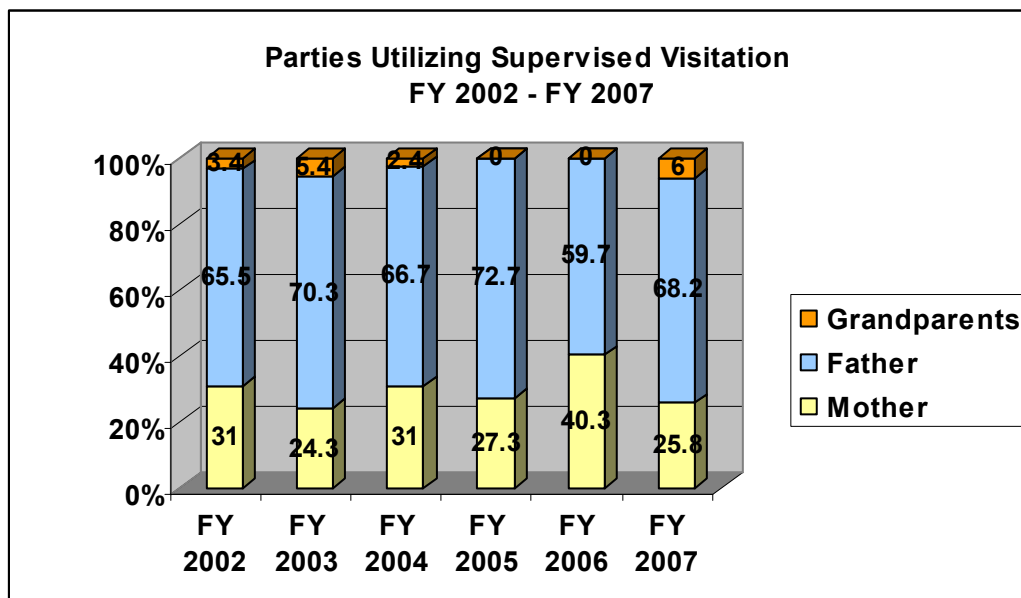
American Sign Language	5
Armenian	1
Burmese	4
Cambodian	2
French	12
Gujurati	2
Haitian	4
Hindi	4
Korean	2
Persian	1
Portuguese	1
Spanish	60
Swahili	2
Tagalog	2
Thai	2
Vietnamese	4
Wofol	2
Total	110

Supervised Visitation

The Family Division first engaged in the presentation of a supervised visitation program in the spring of 2001. The Court is providing this service via a contract with Family Trauma Services, Inc. This provider is a metro-area based mental health organization offering a variety of services to individuals and government agencies. The focus of this program continues to be a supervised visitation plan designed to provide a structured setting for visitation between children and their parents, a critical need for the Family Division for families for whom, drug, alcohol, and physical abuse; mental illness; reunification of parent and child; or concerns about absconding may be at issue.

The Family Division Services Administrative Aide serves as visitation coordinator; a Family Division Case Manager monitors cases participating in the program; and the Managing Court

Evaluator reviews all reports and provides the mental health focus for cases assigned to the program



The Court's program is often at capacity and maintains a waiting list for cases. Up to twelve families participate in a visitation session every other week, with sessions scheduled each week at a facility with, among other security measures, a security guard on the premises.

While many believe that a supervised visitation program provides an ideal solution to visitation problems, there are inherent limitations to the structure of such a program. First, the visits are relatively short. Each visit, after accounting for transfer time, lasts only one hour and fifteen minutes. Second, the visitations are relatively infrequent. Most families are ordered to participate every other weekend, which is necessary to allow a total of 12 families to receive services through the program. Third, there are limits to the activities that can be undertaken. Visitations occur inside the facility, which limits the nature of the activities that can occur. Finally, supervised visitation via the Court's program cannot be a permanent solution for families when other families are waiting for this service.

With these limitations in mind, Family Division staff began meeting with Masters and Judges to develop a "step down plan" for families receiving supervised visitation services who demonstrate their ability to move to a more open visitation format. In cooperation with Family Trauma Services, Inc., the Family Division Visitation Step Down Plan was developed and began during Fiscal Year 2003.

After visitation begins, participants are re-evaluated by the Court at a mandatory 90-day review hearing. The hearing is designed to monitor the progress of the parties, determine the parameters of visitation and to ensure that cases do not remain in the program indefinitely. The Court's goal is to facilitate the visitation process and to assist the parties in a step down plan from direct supervised visits to unsupervised visits while not compromising the child's safety or emotional well-being.

The Judge or Master is provided copies of all observation reports and feedback session notes prior to the 90-day review hearing to assist with changing the parameters of the visits, if appropriate. The step down plan is for reunification cases after 3 months in the program. All other cases are not considered for step down until 6 months in the program has been completed or approximately 12 visits.

Once the case has been in the Supervised Visitation Program for the specified period of time, the Court Evaluator and/or Case Manager will review the file and if appropriate, provide a recommendation for step down to the assigned Judge or Master. A memorandum of recommendation and all supporting reports is forwarded prior to the hearing. A new order is issued and the Step Down Plan (Phase II below) begins with the next visit.

Phases of the entire program are as follows:

- Phase I – Consists of the regular visits outlined in the core program.
- Phase II – Allows the parent to have visits without the presence of a monitor in the room. Visits are observed from outside the room through an observation window. The child may see the supervisor through the window and this allows for a higher level of comfort for the child.
- Phase III – Similar to Phase II, however, a video camera is used to record the observation without the physical presence of the supervisor. The video allows an opportunity to evaluate the child's comfort level while alone with the parent.

Phase III also begins weekly visits with the parent instead of the traditional bi-weekly visit. This change in routine requires a higher level of comfort for the child and increased interaction with the visiting parent.

- Phase IV – Consists of a 2-1/2 hour visit that permits more freedom by allowing the child to visit outside of the confines of the observation room. One scenario might be for the parent and child to have lunch together in a mall with the monitor as part of the lunch group. This allows observation of parenting skills in a different atmosphere and under possibly more challenging circumstances.
- Phase V – Again, consisting of a 2-1/2 hour visit but allowing the parent to take the child away from the facility without a monitor, for a specified period of time. The parent is obligated to return the child at a time designated by the monitor. A brief feedback session is conducted with the child, if appropriate, to discuss comfort level and the child's feelings about the visit. The parent will participate in a brief feedback session and the staff monitor may conduct a joint session as well.
- Phase VI – At this stage the parent is ready for visits independently at times and dates specified by the Court or agreed to by the parties.

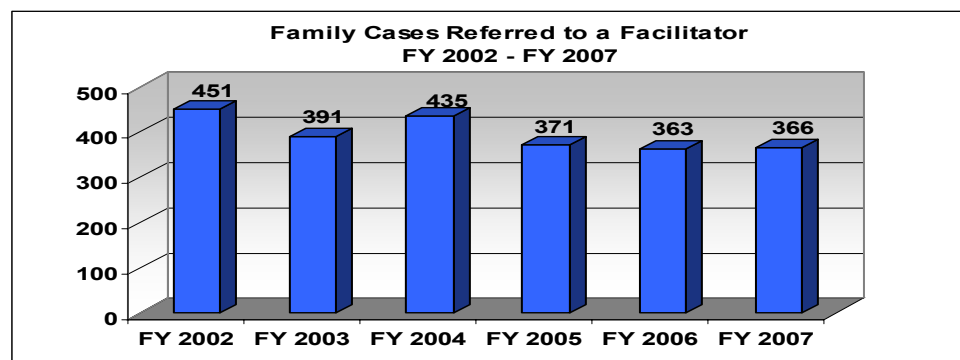
Each phase consists of at least two visits and the supervising monitor determines when it is appropriate to advance to the next phase. Observation reports are still provided to the Court but will diminish in content as the case participants move from phase to phase.

The Family Division also refers cases to two additional community resources as an alternative to the Supervised Visitation Program. Some limited access to low-cost visitation services is available through these community resources but supervision is by a panel of laypersons interested in helping estranged families meet for the mutual benefit of the parties and their children.

The free, “safe” transfer facilities offered by the group known as Children’s Rights Council are utilized by the Family Division Judges as well. This organization operates a supervised transfer service at various locations throughout the Washington Metropolitan area and each year has increased the number of locations for this service. Both male and female members of the Children’s Rights Council are at each location, at regularly scheduled dates and times, to ensure an incident-free transfer of the child(ren) for visiting and custodial parents. Schedules for each location are established and published for each calendar year, which is distributed well in advance to the Family Judges and interested organizations. The Children’s Rights Council also offers visitation services in neighboring jurisdictions but they do not offer the security element that is part of the Family Division program.

Facilitator Program:

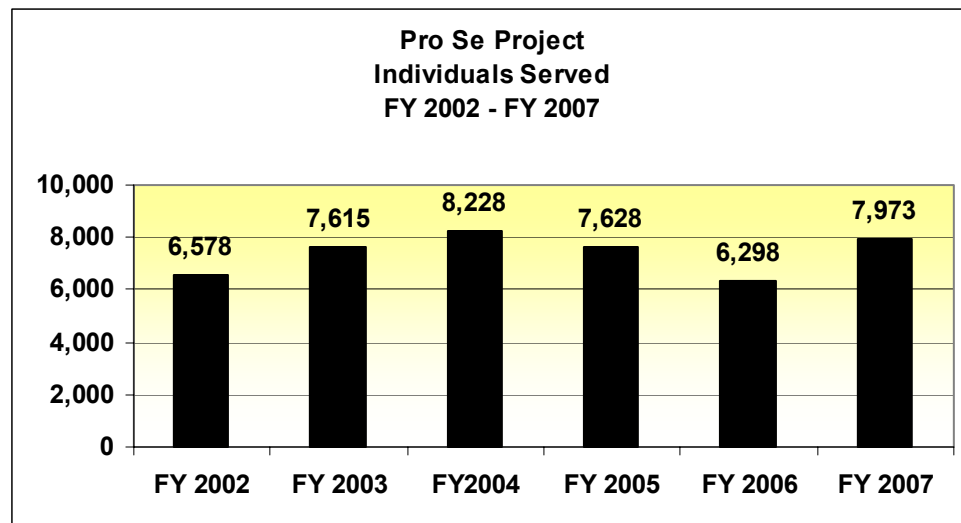
The Facilitator Program serves litigants before the Court’s Family Division and continues to be staffed by experienced practicing attorneys who make themselves available to attempt settlement in cases at an early stage of the proceedings. Potential cases are identified by the Family Division Masters at the Scheduling Conference and referred to the Facilitator, who is available in the courthouse for immediate assistance. A Facilitator Calendar is scheduled and maintained by Family Division Services. The Facilitators are available to the Court from the beginning of Scheduling Conference hearings at 8:30 AM daily and frequently remain until the early afternoon to provide this service. The cost to the Court is \$75.00 per case referral. If a settlement is reached, the parties return to the Master and an agreement is placed on the record. This excellent program is a relatively inexpensive service provided by experienced members of the Family Bar and has been proven highly successful. In Fiscal Year 2007, 230 of 366 cases (62.85%), reached a full or partial settlement of the issues. By resolving or narrowing some issues, the facilitators help to conserve the judicial manpower hours expended for those cases.



Pro Se Project

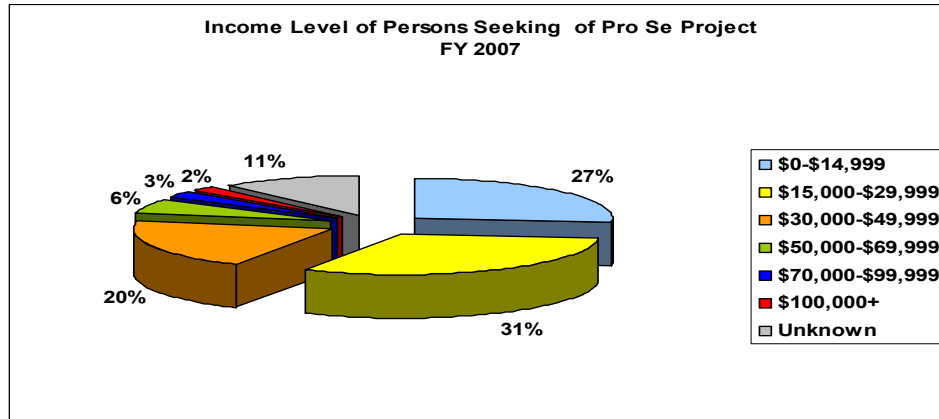
The Pro Se Project is a critical resource for self-represented litigants involved in family cases in the Circuit Court. Such litigants, who cannot afford counsel and therefore must represent themselves, rely on the legal expertise of the Project's staff to help guide them through their case. The Project's staff consists of three attorneys and a legal assistant who is fluent in Spanish.

Current samples of the *Dom Rel* forms may be reviewed at the Pro Se Project and the pre-packaged forms are available upon request at the Family Department window of the Civil Department, Office of the Clerk of the Court as well as on-line. Spanish language guides to these forms are now also available on line. In addition, the Family Division has translated into Spanish guides for some information sheets, as well as directions. The project attorneys may provide assistance with emergency child custody petitions for submission to the Family Duty Judge. Pro Se litigants are frequently referred to the Pro Se Project to attain assistance in formulating their mediated agreements for submission to the court.

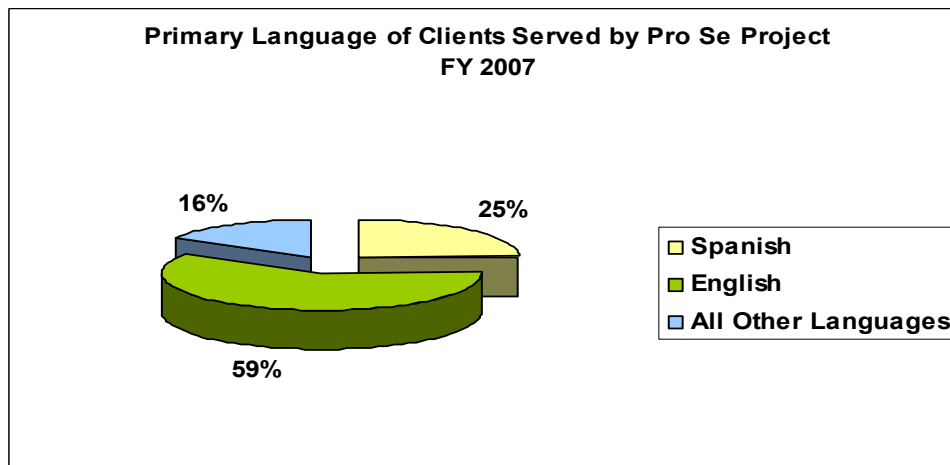


In Fiscal Year 2007, 7,973 individuals sought services from the pro Se Project. This is an increase of 26.60% over Fiscal Year 2006 when 6,298 people were seen at the project.

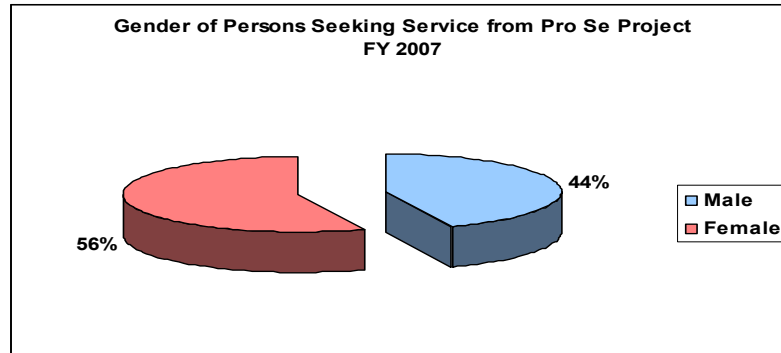
During Fiscal Year 2006, 64% of individuals who sought services from the Project had annual incomes of less than \$30,000. During Fiscal Year 2007, 58% had income levels under \$30,000 which represents a decrease of 6% in this income range.



The demand to serve individuals whose first language is not English continues to increase. In Fiscal Year 2006, 67% of those being served spoke English, 10% spoke other languages and 23% spoke Spanish. In Fiscal Year 2007 the percentage of those whose primary language is English dropped to 59%, other languages increased to 16% and Spanish increased to 25%.



As more people who are not fluent enough in English to conduct litigation on their own behalf are seeking the services of the Project, the Court must work diligently to meet their language needs. Prior to Fiscal Year 2006, interpreters were available to the Project only when they finished other work in the court. As a result, many litigants who needed an interpreter experienced very long wait times. During Fiscal Year 2006 the Project started providing a Spanish interpreter every Wednesday afternoon from 12:30 p.m. to 4:30 p.m. Provision of this service helped alleviate long waits and increased accessibility to the Project's service by Spanish speaking clients. The ability of the staff to communicate with a growing clientele whose primary language is not English is an ongoing challenge to the Court.



Women comprised the majority of the clients seeking services from the Project in Fiscal Year 2006, as reflected in the chart below. The breakdown between male and female is closely aligned with that of Fiscal Year 2006, when 42% were male and 58% were female.

Expanding and publicizing pro se legal services through community organizations and the Court's Web site appears to be reaching those litigants in need of this service. A collaborative, supportive relationship is maintained with the staff attorneys for the Bar Foundation Pro Bono Program and Legal Aid Bureau. The Bar Association members continue to assist the Court's program with coverage during staff attorney absence, and the Legal Aid Bureau continues to be a source of case referral.

The Legal Aid Bureau does not maintain office hours in the Court. They do, however, continue to take family cases, particularly those cases involving contested custody. The Pro Se Project makes a significant number of referrals to the Legal Aid Bureau. A number of those cases seeking referred assistance do not, unfortunately, fall within the guidelines to qualify for their service.

Information publicizing the Legal Aid Bureau is available at the Pro Se Project and at Family Division Services. Written material is prominently displayed in the information carousel in Family Division Services.

Referral in General

The staff in Family Division Services and the Pro Se Project routinely makes referrals to specific agencies based upon conversations with the information-seeking public. Printed information is available at numerous locations within the Judicial Center. This information advises the public with regard to available legal assistance as well as community-based services.

Informational pamphlets, brochures and notices are displayed in the Family Division Suite, at the Masters' Office, the Pro Se Project, the Law Library, at the Juvenile Court, in the Co-Parenting sessions and in the waiting area of a suite of offices on the third floor of the Judicial Center. This suite of offices houses staff for the Domestic Violence Assistance program and a representative of the Abused Persons Program, an Office of the County

Department of Health and Human Services. A variety of the written resource material is available in Spanish as well as English.

The Court's extensive Web site logs thousands of "visits" in a year and this site is now linked to State sites as well as local County government information. The web page is currently in the process of undergoing a complete revision.

Domestic Violence Assistance

A Domestic Violence Assistance (DVA) program began in the Family Division of the Montgomery County Circuit Court in October 1999. While minimal services were available in the Circuit Court in previous years, a goal of the Family Division was met when an organized, consistent level of services was achieved by creation of this program. The program focus addresses abuse issues and victim safety for spouses and intimate partners of the offender. Arrangements were finalized with the House of Ruth and Women's Law Center to provide staff for the Domestic Violence Assistance Program through application of grant funding with the Administrative Office of the Courts. Space is allocated in the Judicial Center for this service and representatives of the Abused Persons Program of the Montgomery County Department of Health and Human Services. The DVA staff an intake interview with the individual seeking services. Services that can be provided include Court appearances, protective orders, appeals, peace orders, *ex parte* hearing accompaniments, modifications, civil contempt and criminal accompaniments. Those not eligible for the above mentioned services can receive information and/or assistance with completion of court forms.

The project represents victims of domestic violence at Protective Order, contempt and modification hearings in the Circuit Court. The DVA also provides representation in a limited number of cases in the District Court for Montgomery County. In addition to legal representation, DVA staff provides other services including case preparation, safety planning, advocacy, coordination with other agencies, in particular the Abused Persons Program of the Montgomery County Department of Health and Human Services, referrals to community-based organizations and criminal hearing accompaniment. DVA staff conducts in-depth intake. The intake consists of a needs assessment, agency referral, inquiry into the abuse incident and any history of abuse. An assessment of possible lethal conduct, a safety plan, answers to family law questions, information about filing criminal charges, and assistance with completion of forms and the court process in general.

Regular DVA staff consists of two full time attorneys, one of whom is a Supervising Attorney. During Fiscal Year 2004, the House of Ruth took responsibility for staffing both positions in Montgomery County and continues to utilize interns when they available.

Collaborative efforts continue through periodic meetings with the Circuit Court Family Division, the Abused Persons Program, and the A.L.E.R.T. task force division of the Montgomery County Sheriff's Department. In addition, DVA participates in the monthly meetings of the County Executive Task Force on Domestic Violence, as well as joint meetings and training with the House of Ruth and the Women's Law Center. DVA

participates in Domestic Violence Attorneys Network for Maryland. This group meets bi-monthly to share statewide perspectives on the issues of domestic violence.

Collaborative Services

Abused Persons Program

Montgomery County Health and Human Services

Montgomery County Health and Human Services, through the Abused Persons Program, provides regularly scheduled part time assistance in the Circuit Court Family Division to address safety issues and coordination of County services. A Victim Advocate Worker identifies the needed services through a detailed interview process. Office space is provided in the Judicial Center adjacent to the Domestic Violence Assistance personnel. This location facilitates coordinated assistance for County residents seeking domestic violence assistance. A networked computer is provided by the Court for the use of the Victim Advocate Worker.

Genetic Testing Program

Detailed procedures have been developed to promptly ascertain genetic testing results for paternity cases. In cooperation with the Office of Child Support Enforcement, testing is available through that agency at a considerably reduced cost to the litigants, or where appropriate, paid by the Family Division. The Family Division Case Managers guide parties and counsel through the testing process.

Alcohol and Drug Testing Program

Collaboration with Montgomery County Health and Human Services, Office of Addiction Services has produced a testing and monitoring program. A testing facility and laboratory are accessible to litigants and the testing is offered to Montgomery County residents at a substantially reduced cost. Arrangements have been made for the Family Division to assume responsibility for the cost of the testing, where appropriate. Delays in both testing performed by community providers and receipt of results of that testing has been an impediment in the past. The timeliness of testing and reporting of results is frequently crucial to the determination of primary issues in cases before the family court. The secured testing facility is within walking distance of the Judicial Center and court referral is virtually immediate. Directions are available in Spanish as well as English.

The Family Judges and Masters, as well as the Court Evaluators may make referrals to this service. Specific personnel in Family Division Services are responsible for initial referral and receipt of the test results, providing continuity and confidentiality for this sensitive information.